

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
NO. 4:14-CV-132-BR

GALE R. WALLS,

Plaintiff,

v.

HOLDEN TEMPORARIES, INC.,

Defendant.

ORDER

This matter comes before the court following plaintiff Gale R. Walls' ("Walls" or "plaintiff") failure to comply with the court's order to show cause. In accordance with an order of United States Magistrate Judge Robert B. Jones, Jr., (DE # 8), Walls filed the required summons for defendant Holden Temporaries, Inc. ("Holden") on 2 September 2014, (DE # 11). The clerk issued the summons on 10 September 2014, (DE # 12), which was returned executed on 17 September 2014, (DE # 13). After Holden failed to file a responsive pleading, the Clerk, on 12 February 2015, instructed Walls to "proceed in accordance with Rule 55 of the Federal Rules of Civil Procedure to reduce this matter to judgment" within twenty-one days. (DE # 14.) In its notice to Walls, the Clerk warned that "[i]f no steps are taken within twenty-one (21) days of receipt of this notice, the court will require you to show cause why this action should not be dismissed as to defendant Holden Temporaries, Inc. for failure to prosecute." (Id.) As of 6 April 2015, Walls had not taken steps in accordance with the Clerk's notice, and the court directed Walls "to show cause within 20 days as to why her action against [Holden] should not be dismissed for failure to prosecute this action." (DE # 15, at 1.) The court further stated, "PLAINTIFF IS HEREBY WARNED THAT IF SHE FAILS TO TIMELY RESPOND TO THIS ORDER, THIS CASE

WILL BE DISMISSED.” (Id. at 1-2 (emphasis in original).) As of 11 June 2015, Walls has not responded to the court’s show cause order.

Based on the foregoing, this case is DISMISSED WITHOUT PREJUDICE, and the Clerk is DIRECTED to close this case.

This 11 June 2015.

A handwritten signature in green ink, appearing to read "W. Earl Britt", is positioned above a horizontal line.

W. Earl Britt

Senior U.S. District Judge